

Application No. 10/817,120
Response Dated August 8, 2005
Reply to Office Action of April 19, 2005

REMARKS

I. Summary of Office Action

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Nadal U.S. Patent No. 5,383,887 (hereinafter "Nadal").

Claim 2 is rejected under 35 U.S.C. § 102(b) as being anticipated by Beggren et al. U.S. Patent No. 4,607,637 (hereinafter "Beggren").

II. Summary of Applicants Reply

Applicants have amended independent claim 1 to more particularly define the present invention and canceled claim 2 without prejudice. The amended claim is fully supported by the originally-filed specification.

The April 19, 2005 Office Action's rejections of applicants' claims are respectfully traversed.

III. Applicants' Reply to Examiner's Rejections

A. Independent Claim 1

The Office Action contends that Nadal discloses applicants' invention as recited by independent claim 1. Applicants respectfully disagree.

As amended, claim 1 is directed to a method of guiding hooks of an anastomotic connector into an aperture of a blood vessel. The hooks, which are configured to engage two blood vessels to form a fluid-tight connection between an opening in the sidewall of one of the two blood vessels and the other blood vessel, are surrounded with a mechanical element that compresses the hooks toward each other. The compressed hooks are inserted into an aperture of a blood vessel and released. To surround the hooks, they are inserted into a wire loop.

Nadal shows a device implanted within a vessel to form a temporary blood filter. The device consists of a thread arranged in a zigzagged manner forming an essentially cylindrical open wall. A series of small hooks, extending in opposite directions, are disposed from plates welded to the zigzagged thread. These hooks are used to attach the filter to the vessel and to reduce the risk of device migration. (See Nadal, column 4, lines 7-11).

Since Nadal describes a blood filter device and not an anastomotic connector, Nadal does not teach or suggest hooks that are configured to engage two blood vessels to form a fluid-tight connection between an opening in the sidewall of one of the two blood vessels and the other blood vessel, as recited by applicants' amended claim 1. In addition, Nadal does not show these hooks compressed and inserted into a wire loop, as further required by claim 1.

In contrast, Nadal describes a blood filter device with a thread tie loop used to adjust the size and shape of the blood filter device. Nadal's hooks are used as a mere vessel attachment means. The fingers of Nadal's blood filter device, which contain the hooks, are radially folded and positioned within a sheathing. To release the fingers, the device is pushed out of the sheathing where "it naturally expands elastically, its fingers spreading out radially, bearing against the inner wall of the vein, being secured by means of the hooks" (Nadal, column 5, lines 20-24). Thus, it is quite clear that the hooks of Nadal's blood filter are not configured to engage two blood vessels to form a fluid-tight connection between an opening in a sidewall of one of the blood vessels and the other

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vessel. It is also clear that these hooks are inserted into a sheathing, not a wire loop, as required by applicants' claim 1.

For at least these reasons, applicants respectfully submit that independent claim 1 is allowable over Nadal.

B. Independent Claim 2

Applicants have canceled claim 2 without prejudice. Accordingly, the Examiner's rejection of this claim is now moot.

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IV. Conclusion

The foregoing demonstrates that claim 1 is patentable.
This application is therefore in condition for allowance.
Reconsideration and allowance of this application are
accordingly respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Stuart W. Yothers", is written over a horizontal line.

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